

Confirmation No. 2162

PC27833A

## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

APPLICANT : Donald E. Frail, et al.

EXAMINER :

SERIAL NO. : 10/724857

ART UNIT :

FILED : December 1, 2003

PAPER NO. :

FOR : The Use of 4-Phenyl-Substituted Tetrahydroisoquinolines in the Treatment of Pain, Migraine Headaches and Urinary Incontinence

Response to Notice to File Missing Parts of Nonprovisional Application

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This paper is in response to the Notice to File Missing Parts of Nonprovisional Application, dated March 3, 2004. In the Notice to File Missing Parts, the Office has indicated that the Applicants submitted an unsigned Oath or Declaration, and has requested that the Applicants furnish same in order to avoid abandonment of the above-identified application.

The Applicants have enclosed the signed Declaration. As such, the Applicants respectfully submit that the requirements to avoid abandonment of the above-identified application have been met.

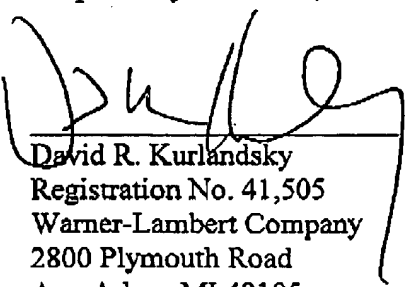
A petition for three months extension of time is also requested.

It is understood by the Applicants that this paper requires a fee; and authorization is given to charge any necessary filing fees and any additional fees or credit any overpayment to Deposit Account 23-0455.

The Applicants submit that this application is now in condition for allowance, which allowance is respectfully solicited.

Respectfully submitted,

Dated: 8/3/04

  
David R. Kurlandsky  
Registration No. 41,505  
Warner-Lambert Company  
2800 Plymouth Road  
Ann Arbor, MI 48105  
Telephone: (734) 622-7304  
Facsimile: (734) 622-2928

08/05/2004 HTECKLU1 00000083 230455 10724857

02 FC:1253 950.00 DA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (g) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/724,857	12/01/2003	Donald E. Frail	01459.US1

25533  
PHARMACIA & UPJOHN  
301 HENRIETTA ST  
0228-32-LAW  
KALAMAZOO, MI 49007



CONFIRMATION NO. 2162

## FORMALITIES LETTER



\*OC000000012014333\*

Date Mailed: 03/03/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/05/2004 HTECKLU1 00000083 230455 10724857

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

<b>Docketed</b>	
DATE	5.13/04
FOR	Missing Parts - Del
BY:	TRM CHECKED BY:

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

<b>Docketed</b>	
DATE	8/3/2004
FOR	Missing Parts - PER
BY:	TRM CHECKED BY:

*A copy of this notice **MUST** be returned with the reply.*

Aug-03-2004 02:54pm From-

PATENT PFIZER ANN ARBOR MI

7346222928

T-758 P.005/009 F-341

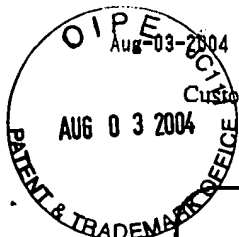
14800012

*15000000*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



AUG 03 2004 02:46pm From-

PATENT PFIZER ANN ARBOR MI

7346222928

T-757 P 001

F-340

Customer No. 28880

Confirmation No. 2162

PTO/SB/21 (03-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/724857	
	Filing Date	December 1, 2003	
	First Named Inventor	Donald E. Frail, et al.	
	Art Unit		
	Examiner Name		
Total Number of Pages in This Submission	9	Attorney Docket Number	PC 27833 (01459.US1)

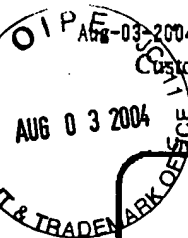
ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Copy of Notification of Missing Requirements
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Oath and Declaration
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	Change of Correspondence Address
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	AUTHORIZATION TO CHARGE THE FEE AND ANY ADDITIONAL FEES AS NECESSARY OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT 23-0455 IS HEREBY GIVEN.	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	David R. Kurlandsky	
Signature		
Date	8/3/04	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: 8/3/04		
Typed or printed	Linda A. Zerby	
Signature		Date 8/3/04

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

USPTO Fax No. 703-746-4060 Office of Initial Patent Examination (OIPE)



Aug-03-2004 02:46pm From-  
Customer No. 28880

PATENT PFIZER ANN ARBOR MI

7346222928

T-757 P.002

F-340

Confirmation No. 2162

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 1,080.00

## Complete if Known

Application Number	10/724857
Filing Date	December 1, 2003
First Named Inventor	Donald E. Frail, et al.
Examiner Name	
Art Unit	
Attorney Docket No.	PC27833 (01459.US1)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

Warner-Lambert Company LLC

23-0455

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims 0 -20\*\* = 0 X 18.00 = 0.00  
Independent Claims 0 -3\*\* = 0 X 86.00 = 0.00  
Multiple Dependent

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	130.00
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	950.00
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility Issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	1480 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 1,080.00

## SUBMITTED BY

Name (Print/Type)	David R. Kurlandsky	Registration No. (Attorney/Agent)	41,505	Telephone	734-622-7304
Signature		Date	8/3/04		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
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